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ELECTION OF DELEGATES FROM NEW YORK TO THE SECOND CONTINENTAL CONGRESS

THE history of political parties in New York during the Revolution is the history of the differentiation of the popular party into revolutionist and loyalist. It is true that from the first there was the germ of a loyalist party in the so-called court faction which in the early part of the eighteenth century played an important part in provincial politics. But after 1733 the important fact was the growth of the popular faction under the lead of the Livingston family until in the early period of the Stamp Act troubles the court faction all but disappeared. For the moment the province found unity in a somewhat indiscriminating anti-British protest. But this unity was momentary only : from 1765 to 1776 the central fact was the gradual differentiation of the anti-British party into various factions, out of which were ultimately formed the irreconcilable parties of loyalist and revolutionist.

As early as the Stamp Act riots in November, 1765, the landed class began to draw away from the popular movement, estranged by the mob violence which threatened its property, and by the increasing importance of the unfranchised classes which threatened its political supremacy. In 1770 the merchants also separated from the popular party. The commercial disadvantage of absolute non-intercourse had driven them to advocate a policy of partial non-intercourse — non-intercourse, namely, in respect to those commodities only which were subject to parliamentary taxation. With the arrival of the East India Company's tea-ships in 1773-1774, the popular party was reorganized under the name of the Sons of Liberty ; and the merchants and landed classes in a sense drew together and formed what may be called the conservative party. By 1774 the separation of radicals and conservatives was measurably complete. The latter, who wished to direct resistance along lines of compromise and conciliation, were in favor of partial non-intercourse and negotiation ; the former, who were not unwilling to carry resistance to the very edge of revolution, were in favor of absolute non-intercourse and mob violence.

Such were the main issues round which centered the struggle for the delegates to the Continental Congress. The key to the

situation is to be found in the effort of the conservatives. While the progress of events from 1774 to 1776 in America and in England tended steadily to define the issue more and more precisely in terms of revolution and loyalism, the conservatives attempted throughout to steer a clear course between absolute resistance on the one hand and absolute submission on the other. They attempted to do this by gaining control of the popular organization and dictating through this organization the election of delegates to the first Continental Congress, and by opposing the effort of the radical organization to control through a provincial convention the election of delegates to the second Continental Congress. The significance of the period consists in the practical failure of the conservative programme, and in the ultimate disintegration of the conservative faction. In a previous paper¹ conservative activity in respect to the election of delegates to the first Continental Congress was considered. It is the purpose of this paper to show in some detail how the struggle for delegates to the second Continental Congress operated to complete the disintegration of the conservative faction.

While the conservatives were nominally successful in electing their delegates to the first Continental Congress, the action of that body was of immense importance in the party transformations of the immediate future — was, in fact, the first step in the disintegration of the conservative faction. Its immense importance lay in the fact that in sending delegates to a general congress the two factions in New York virtually agreed to throw the burden of forming a policy of resistance upon an authority outside the province; consciously or unconsciously, they thereby surrendered the privilege of having a policy of their own. The decision of Congress, while it carried no legal sanction with it, would necessarily exercise a profound influence, especially if it adopted the policy of one faction and rejected that of the other. This is almost precisely what the first Continental Congress did; it adopted a policy of absolute non-intercourse and drew up an Association to that effect, recommending that committees be appointed in every province, county, and town to see that it was signed as generally and enforced as rigorously as possible.² The radicals then had only to continue as they had begun. To the conservatives, on the other hand, two paths were open — either to use the decision of Congress as an excuse for changing their attitude, or to put themselves in opposition to the united decision of the colonies.³ It was manifestly impossible to follow both

¹ *Political Science Quarterly*, March, 1903.

² *American Archives*, I. 913.

³ Cf. Thomas Young to John Lamb, Oct. 4, 1774, MS. Papers of John Lamb, 1774-1775. The John Lamb Papers are in the New York Historical Society Library.

paths ; composed, as the conservative party was, of incipient revolutionists and of incipient loyalists, it was impossible to follow either as a party. Practically, the result of the first Continental Congress was to split the conservative faction in two ; a part followed one path, a part followed the other. The voice of all the colonies, speaking out, as it were, in sharp rebuke against the policy which the conservatives in New York had advocated, came like an ultimatum both to those who were ready for forcible resistance and to those who were prepared to remain faithful to the home government when no other alternative offered.

This result was realized with measurable completeness in the events leading up to the election of delegates to the second Continental Congress. Meanwhile, the question immediately in hand was whether the action of the first Continental Congress should be approved or not, and, if approved, how its recommendations respecting the Association could be most effectively carried out. In the city this led to the election of a new committee — the Committee of Sixty, sometimes called the Committee of Inspection.

On November 7 the Fifty-One resolved that the freemen and freeholders should be requested to assemble on November 18 at the usual places of election and choose eight persons in each ward to act as a committee of inspection for the enforcement of the Association.¹ In passing this resolution without a division the conservative committee may appear to have accepted the verdict of Congress without reservation. On closer inspection, however, it will be found that the committee was principally intent on making the best of a bad situation. In its recommendation for the election of committees Congress had suggested that the suffrage be limited to freeholders and freemen. There was some consolation for the Fifty-One in the fact that this limitation, if observed in New York, might place the control of the Association there in conservative hands. It is to be observed further that the resolution by which the conservative committee called for the election of committees of inspection made no provision for the dissolution of the Fifty-One ; and it is more than likely that the new committees were intended to serve merely as ward committees under the supervision of the Fifty-One as a central committee. If the conservatives, therefore, took the first step in response to the recommendations of Congress, it was only that they still hoped to direct where they were no longer able to control ; an initial willingness to act upon the suggestion of Congress might save, it was hoped, the life and influence of the conservative organization.

¹ 4 *American Archives*, I. 328, 329.

It was hardly to be expected, perhaps, that the radicals would fail to see the tendency of such action. On Sunday, November 13, the Mechanics Committee, which now represented the radicals, published a broadside calling for a special meeting of that body at 4 o'clock and a general mass-meeting of all radicals at 5 o'clock on the following day, for the purpose of discussing the questions raised by the resolutions of the Fifty-One.¹ It is not known precisely what was done at either of these meetings, but it is obvious that the proposals of the conservative committee were found unsatisfactory. The Fifty-One on the evening of the same day addressed to the Mechanics Committee a letter requesting a conference on the day following, in order that a "mode that shall be agreeable to their fellow citizens in general" might be arranged.² This conference resulted in the adoption of a plan widely different from the original proposition of the conservatives. Instead of ward committees, there was to be a general committee of inspection of not more than seventy nor less than sixty members. It was to be elected by the freemen and freeholders, not in ward elections, but at the city hall, under the supervision of the vestrymen. Finally, it was understood that the election of the new committee should be followed by the immediate dissolution of the Fifty-One.³

If this arrangement is to be regarded as a compromise, it was a curiously one-sided one. There were two points which it was of serious importance for the conservatives, if they wished to remain conservative, to hold to—the limitation of the suffrage, and the continued existence of the Fifty-One. Virtually, both points were given up. It is true the suffrage was not technically extended, but the method of election was so changed that the suffrage ceased to be a matter of any importance: to say that the committee should be elected by the freemen and freeholders, at the city hall, under the supervision of the vestrymen, was only crudely to conceal the fact that the decisive method of election by ballot was to be replaced by the indecisive method of election in general mass-meeting. The second point was given up without reservation, and this was, after all, the matter of vital importance. Its importance consisted in the fact that in losing the Fifty-One the conservatives were

¹ Broad sides, I. (Broad sides used in this paper are from the collection in the New York Historical Society Library.)

² The letter was dated 6 o'clock, November 14, and addressed to Daniel Dunscomb, chairman of the Mechanics Committee. 4 *American Archives*, I. 329.

³ 4 *American Archives*, I. 330. In announcing this change the Fifty-One explained that whereas there was apprehended certain inconvenience from the first plan, and "this committee having taken the same into further consideration, and having consulted many of their fellow citizens, and also conferred with the Committee of Mechanics," etc.

losing their independent organization. The new committee, nominated by both factions, could not represent the conservatives as the Fifty-One had represented them. On the contrary, it would stand quite as much (more, indeed, as the sequel proved) for radicalism as for conservatism. There was, consequently, no more inherent reason for the dissolution of the old conservative Committee of Fifty-One than there was for the dissolution of the old radical Committee of Mechanics. But by the present arrangement, after both parties had united in the formation of a new joint organization, one party was required to dissolve its old special organization, the other was not.

The Fifty-One accordingly issued a second notice on November 15, indicating the change which had been agreed to. The election was fixed for Tuesday, November 22.¹ On that day a respectable number of "freeholders and freemen" appeared at the city hall; and the ticket which had been prepared according to agreement was elected without a dissenting voice.² With the election of the Committee of Sixty the Fifty-One ceased to exist.

The election of the Committee of Sixty and the dissolution of the Committee of Fifty-one was the logical result of the first Continental Congress. It prepared the way for the disappearance of the conservatives as a party. Since the colonies as a whole had taken a stand, it was out of the question for a local party to direct the resistance to the home government on lines laid down by itself. It was necessary to take the stand that all of the colonies had taken, or to stand against them: and to stand against them was very nearly the same, in the indiscriminating popular mind, as to stand with the home government. Increasingly the question which confronted each party was whether it would stand with Congress and the colonies or against Congress and with England. This question now confronted the conservatives in New York. As a party, there was no longer any place for them; as individuals, would they prefer ultimately to become loyalists or revolutionists? Some were ready for the latter; some could do no less than the former. The result was that just as the old Committee of Fifty-One had from the first practically had a large majority for conservative measures because the moderates were then prepared to work with the extreme conservative wing of that committee, so the new Committee of Sixty now had practically a large majority for radical measures because the same moderates were now prepared to work with the extreme

¹ *Ibid.*

² *Ibid.*; Colden, Letter-Book, II., *New York Hist. Soc. Coll., Fund Series*, X. 372; *Rivington's Gazetteer*, November 24, 1774; *New York Mercury*, November 28, 1774.

radical wing of this committee.¹ Of the original Fifty-One thirty members² found places on the Committee of Sixty. With one or two exceptions,³ these thirty were taken from the extreme radical wing of the Fifty-One and from those moderate conservatives who ultimately preferred to become revolutionists rather than loyalists. Those of the Fifty-One who found no place on the Sixty represented, for the most part, that phase of conservative thought which pointed away from revolution and towards loyalism. The thirty members of the Sixty who had not been members of the Fifty-One⁴ were men who represented, with some exceptions, radicalism in thought and in action.

In the counties, it has already been pointed out, scarcely any part had been taken in the agitation previous to the movement for the first Continental Congress. Even that movement had resulted there in little positive effort, and in no positive organization of those elements which in New York coalesced into the conservative faction: only the radicals, and they in some counties only, had made a beginning. Consequently, when Congress sent into the counties⁵ its recommendation for an Association, there was not there, as in the city, two definitely organized factions; there was, for the most part, only opinion, prejudice, and some conviction, mostly in solution. Yet the result of the first Continental Congress was essentially the same in the counties as in the city. As there was no longer any place for the conservative faction in the city, so it was too late for such a faction in the counties; in the counties, as in the city, it was increasingly a question of standing with the Congress or with the home government. The same process of separation into loyalists and revolutionists was begun in both places. The difference was that in the counties there was no conservative faction to be disintegrated, and there was less of a radical organization to work

¹ Smith to Schuyler, November 22, 1774, Lossing, *Schuyler*, I. 288; Colden to Dartmouth, December 7, 1774, Letter-Book, II., *New York Hist. Soc. Coll., Fund Series*, X. 372.

² Isaac Low, Philip Livingston, James Duane, John Alsop, John Jay, P. V. B. Livingston, Isaac Sears, David Johnson, Charles Nicholl, Alexander MacDougall, Thomas Randall, Leonard Lispenard, Edward Laight, William Walton, John Broom, Richard Hallett, Charles Shaw, Nicholas Hoffman, Abram Walton, Peter Van Schaack, Henry Remsen, Peter Curtenius, Abram Brasher, Abram P. Lott, Abram Duryee, Joseph Bull, Francis Lewis, John De Lancey, John B. Moore, Gilbert H. Ludlow.

³ Peter Van Schaack and Isaac Low were the notable exceptions.

⁴ John Lasher, John Roome, Joseph Totten, Samuel Jones, Frederick Jay, William W. Ludlow, George Janeway, Rudolphus Ritzema, Lindlay Murray, Lancaster Burling, Thomas Ivers, Hercules Mulligan, John Anthony, Francis Barrett, Victor Bicker, John White, Theodore Anthony, William Goforth, Wm. Denning, Isaac Roosevelt, Jacob Van Voorhees, Jeremiah Platt, William Ustick, Comfort Sands, Robert Benson, William W. Gilbert, John Berrien, Nicholas Roosevelt, Edward Fleeming, Lawrence Embree.

⁵ The recommendation came to the counties through the Fifty-One. ⁴ *American Archives*, I. 328, 329.

with. The process of separation was slower, the balance of power was not always with the radicals. Not until the force of arms began to replace free discussion did the disappearing opposition of the loyalists leave a free field for revolutionist organization.

In the counties, as in the city, the first question to be answered was embodied in the recommendations of Congress. While the Association was doubtless circulated in all of the counties, the result is unknown or was indecisive¹ except in the three that acted upon it favorably — Albany, Suffolk, and Ulster. The Albany committee, which had now become a permanent organization, ratified the action of Congress on December 10. So decidedly was the committee in favor of the Association that the New York delegates were requested to explain why they voted to permit the exportation of rice from South Carolina.² The Suffolk County committee met November 15 at the county hall, approved the action of Congress, and referred the enforcement of the Association to the town committees.³ In Ulster committees were appointed, agreeably to the resolution of Congress, in the towns of Kingston,⁴ New Windsor,⁵ Hanover,⁶ Showangnuk,⁷ and Walkill.⁸ Mention is made of a county committee, but whether this refers to the Kingston committee, which may very likely have acted as a county committee, or to a separately organized general county committee, is unknown. No organized opposition appears to have existed.

The remaining counties, so far as is known, did not individually place themselves on record as being either in favor of or in opposition to the policy of Congress. Some feebly intimated their confidence in the Assembly; others waited, perhaps, for that body to take the initiative. While the Assembly, which was elected in 1769, cannot be considered as in any sense representative even of the conservative counties at this time, its action is the only record we have of the sentiments of those counties that made no definite reply to the recommendations of Congress.⁹ Whether representa-

¹ E. g., Dutchess, 4 *American Archives*, I. 1164. In Queens there appears to have been about equal division of opinion, *ibid.*, 1027, 1035, 1191; Onderdonck, *Documents and Letters*, 14, 17, 20, 21; *New York Mercury*, January 9, 16, 1775; *Livingston's Gazetteer*, January 5, 1775. In Orange about half refused to sign, *Calendar of Historical Manuscripts*, I. 5 ff.

² 4 *American Archives*, I. 1097, 1098.

³ *Ibid.*, 1257, 1258.

⁴ *Ibid.*, I. 1100; II. 298; *New York Mercury*, April 17, 1775.

⁵ 4 *American Archives*, II. 131, 133.

⁶ *Ibid.*, I. 1191.

⁷ *Ibid.*, I. 1183, 1230.

⁸ *Ibid.*, I. 1201.

⁹ The Assembly was petitioned to censure Congress and to negotiate with the King for redress of grievances. Cf. To the Freemen, Freeholders, etc., January 19, 1775, Broad-sides, 1.

tive or not, the action of the Assembly in the winter of 1775 has this significance: much of the opinion, prejudice, and conviction which in the counties was still in solution after the first Continental Congress remained so for the time being because it was known that the colony's legal representatives were about to take a stand on the precise question which the extra-legal representatives of all the colonies had made the vital question — the question of standing with the colonies or with the home government. In February the Assembly took its stand; by a vote of almost two to one it was decided not to thank the delegates to the first Continental Congress and not to send any delegates to the second.¹ On the other hand, it attempted to take matters into its own hand; in March it sent a petition to the King, a memorial to the Lords, and a remonstrance to the Commons.² The action of the Assembly, which pleased the English government³ and helped to crystallize sentiment in New York, was an effort, and all but the last one, to stand in the place and to do the work of the old conservative Committee of Fifty-One. But it was too late to accomplish anything along these lines; the only result of the Assembly's action was still further to disintegrate the very party whose policy it was thus tardily attempting to make effective.

The first test had now been made. New York and three other counties had answered in favor of Congress; the rest had given no more definite answer than might be read into the action of the Assembly. The most important test was still to come — the election of delegates to the second Continental Congress.

The decision of the Assembly had no sooner cleared the way than the matter was taken up by the radicals in New York through their Committee of Sixty. On February 27 Van Brugh Livingston moved that the committee should take into consideration "the ways and means of causing delegates to be elected to meet the delegates of the other colonies . . . in general Congress."⁴ On March 1, when the question was again taken up, the committee, concluding that it had no power to elect the delegates itself, decided to refer the matter to the freeholders and freemen. A notice was accordingly published summoning the freemen and freeholders to meet at the Exchange on March 6 to "signify their sense of the best method

¹ 4 *American Archives*, I. 1289, 1290; Colden, Letter-Book, II., *New York Hist. Soc. Coll., Fund Series*, X. 389; Deane Papers, V., *New York Hist. Soc. Coll.*, 1890, pp. 538, 539.

² 4 *American Archives*, I. 313.

³ *Ibid.*, II. 27, 28, 29, 122, 123, 252.

⁴ Broad-sides, I. The motion was carried with only one dissenting vote, that of Samuel Jones.

of choosing such delegates, and whether they will appoint a certain number of persons to meet such deputies as the counties may elect for that purpose, to join with them in appointing out of their body delegates for the next Congress."¹ Whether consciously worded or not, the fact is that the two purposes expressed in this document are somewhat inconsistent with each other. If the freemen and freeholders were to be asked to decide how they preferred to elect their delegates to Congress, it is not clear why they should be asked whether they would take part in a provincial convention; it is not clear why the committee should express a desire to refer the question of method in the election of delegates to the freemen and freeholders, and then, before there could be any decision of that point, thrust their own definite plan so intrusively in their faces. In truth it would be quite superfluous for the freemen and freeholders to consider the first question (the question of the best method) if they were expected in any case to consider the second question (the question of a particular method); and, under the circumstances, a refusal to adopt the committee's plan would be very nearly equivalent to a refusal to have any part in the second Continental Congress. It is clear, therefore, not only that the radicals were in favor of sending delegates to Congress, but also that they wanted those delegates to be chosen by a provincial convention composed of deputies from all the counties in the colony. Such a method of choosing delegates would almost necessarily diminish the relative influence of New York city in the Congress; it is, consequently, necessary to understand why the radicals in the city were in favor of a provincial convention.

The answer to this question is to be found in the fact that under existing conditions, in spite of the radical control of the Sixty, the old method of electing delegates would most likely result in sending the same kind of a moderately conservative delegation to the second Continental Congress that had been sent to the first; the relative influence of New York city was to be reduced in order that the influence of the colony as a whole might be less conservative. A brief review of the conditions which faced the radicals will make

¹ Broadside, I.; *Rivington's Gazetteer*, March 9, 1775; *New York Mercury*, March 6, 1775; 4 *American Archives*, II. 4. A provincial convention had been urged in connection with the election of delegates to the first Continental Congress, by the radicals in New York city in their resolutions of July 6, 1774 (*New York Mercury*, July 11, 1774), and again in their resolutions of July 20, 1774 (*New York Mercury*, July 25, 1774). In connection with the second Continental Congress the earliest suggestion appears to have come from Suffolk County. A county meeting on February 23, 1775, resolved that if the Assembly refused to appoint delegates, "the Committee of Correspondence for . . . New York be desired . . . in that case to call a provincial convention for that purpose." 4 *American Archives*, I. 1257.

this clear. The delegates to the first Continental Congress had been elected by counties. The apathy in the rural counties had resulted in sending a delegation from the colony in which the city delegates (five in number) exercised a determinative influence, not only because of their numbers, but also because of their personal ability and influence. That influence was, if not decisively conservative, at least only moderately radical. The problem which confronted the radicals was how to secure a delegation to the second Continental Congress which would exercise a more radical influence. If the old method of election was adopted, this could be done in one of two ways — either by electing a new and radical delegation from the city or by electing sufficiently large and radical delegations from the counties to outvote and, what was more important, to outweigh in influence the old delegation from the city. Neither plan was practicable. The old city delegates were men of the highest standing and of wide influence. They had not seriously opposed the action of the first Continental Congress, nor had they refused to support the Association. With two exceptions¹ they represented at its best that part of the conservative faction which was ultimately prepared to join the revolutionists. But they had not as yet gone very far in that direction. Without being sufficiently radical to suit the Committee of Sixty, they were not sufficiently conservative to be in any sense out of the race. To defeat these men was probably impossible; to attempt to do so was, in any case, impracticable. On the other hand, it was unwise to depend on the election of large radical delegations from the counties; the action of the counties on the Association had been all but decisive on that point. The alternative was a new method of election which would enable the Sixty at once to support the old city delegates and to neutralize their influence. A provincial convention would enable the Sixty to do this, because the city delegation to a convention might properly be made sufficiently large to leave the old delegates in a minority; whereas it would be out of the question to send so large a delegation from the city directly to the Congress. In the same way the convention could easily form a delegation for the province as a whole in which the old delegates should find a place, but in which they could no longer exercise a determinative influence; and this could most probably be done equally well whether the rural counties took an active part in the convention or not.²

¹ Isaac Low and John Alsop.

² The motives of the radicals are sufficiently well revealed in the broadsides which were circulated in defense of the convention. In answer to the objection that a convention will deprive the city of "their old delegates," it is stated that New York cannot

The conservative element, in the committee and out of it, divined the purposes of the Sixty and made an ineffectual attempt to defeat them. A meeting was held at Montagnie's on March 3, presided over by John Thurman. The proposals of the Sixty were disapproved of, first, because there was not time enough before March 6 to settle so important a question; second, because the method of taking the vote "by collecting the people together" was inexpedient, since it permitted of no distinction between freeholders and freemen, who had a right to vote, and "such as were collected on purpose to make a show of numbers"; third, because a provincial convention tended directly to the introduction of a provincial congress. It was accordingly suggested that the whole matter be postponed until the reply of the English government to the Assembly's proposals should have been received; if nothing could be effected in this way, then let the poll be opened in the usual places for the election of delegates to a convention by freemen and freeholders only. The conservatives declared they were not necessarily opposed to Congress, or even to a convention, but to the haste with which the matter was being pushed through.¹ The protest was scarcely heeded. An answering broadside appeared the next day,² and in the evening some radicals met and resolved to support the proposals of the committee.³

On Monday, March 6, the day fixed by the committee for the meeting, preparations began early. The vote was to be taken at noon. In mid-forenoon the radicals began to assemble at the liberty-pole, and by eleven o'clock they were on the way to the Exchange, carrying a banner on one side of which was the inscription,

presume to elect delegates for the whole colony, and, on the other hand, it is improper to crowd the Congress with delegates from each county. In another broadside of the same date, March 14, the author, who signs himself "A Friend to the Congress," says that "the necessity of this mode of choosing the delegates for the colony arises from the counties having taken offense at the conduct of this city in choosing the last delegates without consulting the counties. . . . The tale that your late delegates are excluded, is a mere trick; for there is the highest probability that they will be chosen by the deputies of the counties as they are in the . . . nomination of the committee." Broad-sides, I. Cf. 4 *American Archives*, II. 139.

¹ *Ibid.*, 48, 49.

² The author, who calls himself "A Tory," makes the following points: (1) The sense of the city can be taken Monday as well as any other time. (2) A convention is the plan used by the colonies of New Jersey, Virginia, Maryland, and North Carolina. (3) Little probability that the Assembly will appoint delegates. "And as to the danger of their being influenced by the measure, I really can see no great harm in a Representative being influenced by his constituents, on the contrary they ought to be." (4) As for waiting advice from England, "may as well wait for the conversion of the Pope as the arrival of the Packet." (5) "That whomever says the committee have prescribed rules for the counties, lies under a mistake, they mean only . . . to propose it to the counties and consult with them on the occasion." To the Learned and Loquacious Chairman, March 4, 1775, Broad-sides, I.

³ 4 *American Archives*, II. 48.

"George III Rex, and the liberties of America," and on the other, "The union of the Colonies, and the measures of Congress." About the same time the opposite party, strengthened, as was alleged, by royal officials, civil and military, began a similar procession from Montagnie's. When the processions met at the Exchange, a general mêlée was avoided with difficulty. Order having been restored, the chairman of the Sixty announced the questions upon which the vote was to be taken. The questions, as now announced, were not formulated as they had been by the committee in its handbill of March 1 — indeed they were not the same questions at all. The first question announced by the chairman was whether deputies should be sent to a provincial convention; the second, whether the people then present would authorize the committee to nominate eleven deputies to a provincial convention. On the first question the conservatives demanded a poll in order that the matter might be decided by freeholders and freemen according to the recommendation of Congress. This was refused, and the sense of the meeting was taken *en masse*. According to the radical account, both questions were carried by a very great majority. The conservatives, on the other hand, claimed that it was impossible to say whether the questions were carried or lost: consequently, even granting the propriety of the method of voting, it could not rightly be considered either that the county was in favor of a provincial convention, or, if it was, that any power of nomination had been conferred upon the committee.¹

Whether carried or not (probably a majority of those present were in favor of the committee), the framing of the questions was such as to make it impossible to settle them on their merits. The wording of the questions shows indeed that the Sixty had taken a full step in advance since issuing the first of March handbill. The committee had called the freeholders and freemen together to ask them what they considered the best method of electing delegates to Congress, and whether they were in favor of a provincial convention; now that they, together with others, were assembled, the committee really asked, not the freeholders and freemen, but the inhabitants generally, whether they would send delegates to a provincial convention, and whether they would authorize the committee to nominate *eleven* delegates to that convention. On the first of March two inconsistent questions had been presented together in such a way that the real issue had been whether New

¹ The official account of this meeting is in Broad-sides, I. Two other more detailed accounts have been preserved, one by a radical sympathizer, the other by a conservative. The only points in which they disagree have been noted in the text. 4 *American Archives*, II. 48, 49.

York County should join in a provincial convention or not. On the sixth of March two questions somewhat different, but equally inconsistent with each other, were presented together in such a way that the real issue was whether the committee's method of sending delegates to a provincial convention should be adopted or not. The first alternative had been a convention or no Congress; within six days the alternative had become eleven deputies nominated by the committee or no congress.

A little closer consideration of the two questions presented by the Sixty on March 6 will make this all but obvious. A negative vote on the first question was practically equivalent to opposing the second Continental Congress. Undoubtedly there were many men in favor of Congress but opposed to the convention as a method of electing delegates to the Congress—men who, nevertheless, if the convention was legitimately determined upon, were willing to send delegates to it rather than not take part in the Congress at all. These men wanted a chance to vote against the convention and in favor of some other method. Yet the man who voted negatively on the first question said not, "I am not in favor of the convention as a method of choosing delegates," but, "I am not willing that New York County should join the other counties in sending delegates to the convention, and consequently to the Congress": such a vote, practically, would not have the effect of replacing the convention as a method by some other method, but merely of keeping New York County out of the movement altogether. More incisively than ever and not altogether fairly, there was presented to the conservatives the alternative of supporting the convention or of seeming to refuse to support Congress—by a shrewd sort of political legerdemain it had come about that supporting or opposing the radical committee was apparently identical with the alternative of standing with the colonies or with the home government. The second question was equally treacherous. The convention once determined upon, many men not in favor of it in the first instance, but willing if delegates were to be sent to it that the committee should nominate them, were not willing that the ticket should consist of eleven members. Such men could not vote against nominating a ticket of eleven delegates without voting against allowing the committee to nominate the ticket at all.

With questions presented in this fashion, those of the old conservative faction who were facing away from loyalism were likely to prefer to support the radical committee rather than give the appearance of refusing to support Congress: they thereby took a long step in the direction of revolution. Those of the old conservative

faction who were facing away from revolution doubtless preferred to give the appearance of opposing Congress rather than place that body unreservedly in radical hands: they thereby took a long step in the direction of loyalism. The meeting on March 6 was thus another and an important stage in the disintegration of the old conservative party. Those who voted in favor of sending deputies to the convention, and in favor of permitting the committee to nominate a ticket of eleven members, whatever their motives may have been for so voting, found themselves in the company of men who voted in the same way precisely for the purpose of imparting to Congress a radical and revolutionary impetus. On the other hand, those who voted, for whatever reason, not to join with the counties in a provincial convention, and against the nomination of delegates by the committee, found themselves in the company of men who voted in the same way because they considered conventions and congresses illegal and treasonable.¹

The Sixty proceeded at once to nominate a ticket. Without any serious opposition apparently, the old delegates — Isaac Low, Philip Livingston, James Duane, John Alsop, and John Jay — were named, together with six others — Leonard Lispenard, Abram Walton, Francis I. Lewis, Isaac Roosevelt, Alexander MacDougall, and Abram Brasher.² Of the new men, none was conservative like Duane or Low, none, perhaps, moderately judicious like Jay, none timid like Alsop. Three of them at least — MacDougall, Lewis, Roosevelt — were men who would speak and act effectively and unhesitatingly for radical measures. If the Sixty could get this ticket elected, it might well assume that without opposing the old delegates it had succeeded in neutralizing their influence.

The conservatives still had a fighting chance, perhaps, if they chose to use it: they might secede from the Sixty, as the radicals had done from the Fifty-One, and nominate a ticket of their own. But the radicals left the Fifty-One only after there was no more to be gained by remaining in it, and the conservatives had still something to gain by retaining a representation on the Sixty — the limitation of the suffrage to freeholders and freemen. All that was

¹ The conservative party which marched from Montagnie's was charged with numbering among its supporters officers of the army and navy, customs officers, and loyalist members of the Assembly. 4 *American Archives*, II, 48. Among the broadsides published in opposition to the committee was one signed a "Citizen of New York," in which the main arguments were: (1) That the only legal representatives of the colony, the Assembly, had refused to appoint delegates; (2) that, whatever reason there may have been for the first Congress, there was no reason for a second; (3) that the convention would lead to the introduction of a provincial congress, which in turn would usurp the functions of the Assembly. *Ibid.*, 44.

² Broad sides, I.

accomplished, consequently, in respect to a separate organization was an informal and vain effort at the election to vote for the five old delegates without voting for the six new ones. In respect to the limitation of the franchise, however, the conservative leaders were able to attain their end. March 8, in committee meeting John Jay moved that the election should be held on March 15 in the wards, under the supervision of the vestrymen and subcommittees of the Sixty, and that the votes of freeholders and freemen only should be received.¹ The radicals felt the more safe in granting this, perhaps, since they would be able, now that a popular meeting had decided the initial question of the expediency of sending delegates at all, to force upon the voters the alternative of voting for the committee's ticket as a whole, or not at all. On March 15 the election was held. Eight hundred and twenty-five freemen and freeholders were in favor of sending deputies, and voted for the committee's ticket; one hundred and sixty-three voted negatively on both points. Many, on the other hand, offered to vote for the old delegates only. They were refused. The ticket of eleven members nominated by the Sixty was accordingly declared duly elected.²

Thus having succeeded in getting the support of the city for its plan, the committee issued a circular to the counties on the following day.³ The question was referred to the counties in much the same way as it had been referred to the city. The counties were asked, first, to consider the advisability of a provincial convention; second, to send delegates to a convention which was to meet (the Sixty took the liberty of fixing the day) at New York, April 20. Practically it was quite as useless for any individual county to consider the first question as it was impossible for the conservatives in the city to get an opportunity of doing so: the practical question before each county was whether it would send delegates to the convention, which, it appeared, was to meet in any case; or whether it would take no part in the convention. A refusal on the part of any county to send deputies to the convention would have no other practical effect than to leave that county without influence or voice in the second Continental Congress. In each county, therefore, the fight, where there was a fight, was virtually between those who were in favor of the second Congress and those who were not — between those who were going the way of revolution and those who were going the way of loyalism. There was no place in the

¹ *Ibid.*

² 4 *American Archives*, II. 137, 138, 139; *New York Mercury*, March 20, 1775. The vote is given by wards in the *Mercury*.

³ Broad-sides, I.; 4 *American Archives*, II. 138.

counties any more than in the city for those who, without being loyalists, were not in favor of Congress, or for those who, without being hostile to Congress, were opposed to a provincial convention. The result, for the moment, was a rather marked increase in radical activity. Eight counties, aside from New York, sent deputies to the convention, though in three of them there was strong opposition; one, at least, definitely refused to be represented; three, so far as is known, took no action. In Albany County it was not primarily in response to the letter of the Sixty that delegates were elected. After the Albany committee had resolved, in December, 1774, to support the first Continental Congress, a new and more carefully organized county committee was established, which began to meet in January.¹ It was composed of deputies from the three wards of the city and from the precincts of the county. March 1, 1775, at a meeting of this committee the chairman produced a letter from the Albany members of the Assembly, which recommended that measures be taken for the election of delegates to Philadelphia. It was therefore resolved to request the subcommittees of the different districts in the county to assemble at Albany on March 21, "with full power to elect delegates."² Meanwhile the letter from New York reached Albany and gave a new direction to the activity of the committee. It is not known how this letter reached the various districts, but that it did reach them is evident from the fact that when the general committee met on March 21 all of the deputies had been authorized to elect delegates either to the Congress at Philadelphia or to the convention at New York.³ All of the committee except Henry Bogart were found to

¹ This new committee is commonly known as the Committee of Safety. The manuscript minutes of this committee, in two volumes, are preserved in the state library at Albany. The full title is "Minutes of the Proceedings of the Committee for the City and County of Albany, begun January 24, 1775." The two volumes cover the period from 1775 to 1778. Except at the beginning, the correspondence of the committee is omitted. At the beginning every page is numbered; near the close of the first volume the practice was introduced of numbering each leaf only; most of the second volume is not paged at all. For the privilege of examining these minutes I am indebted to the courtesy of Mr. J. F. A. Van Laer, keeper of the manuscripts at the New York State Library. For convenience the citation will be "Minutes of the Albany Committee."

² "A letter being produced by the chairman from Colls: Schuyler, Ten Broeck, and Livingston, members of the general Assembly, recommending the committee to appoint delegates to the intended Congress to be held at Philadelphia. . . . It was unanimously resolved that letters be wrote to the committee of the different districts of this county requesting their meeting at the House of Richard Cartwright the 21st day of this month, at two o'clock . . . with full power to appoint delegates." Minutes of the Albany Committee, I. 10.

³ "First the chairman put the question whether the members were fully authorized by their constituents to elect Delegates or Deputies to meet the Deputies from the other counties it appeared that they were unanimously empowered to appoint either."

be in favor of sending delegates to the convention ; and a ticket of five members was unanimously chosen for that purpose.¹ In Kings County representatives of four townships met at the county hall April 15 and unanimously appointed five deputies to attend the convention. The township of Flatlands remained neutral, neither supporting nor opposing the measure.² In Orange County the four precincts of Cornwall, Goshen, Haverstraw, and Orangetown held separate meetings and named deputies.³ Of any opposition in these precincts, or of any action at all in others, there is no record. In Suffolk a county meeting was held at the county hall, April 6, and five delegates were chosen to represent the county.⁴ Ulster County chose delegates in the same way. On April 7 thirty-nine deputies, from ten towns, assembled at New Paltz. Three delegates were named.⁵ This action was approved by another town, Rochester, where a meeting was held on the same day. Opposition appears to have been confined to a letter signed by Cadwallader Colden, Jr., and Peter and Walter DuBois, protesting against the election as unlawful.⁶

In Dutchess, Queens, and Westchester there was strong opposition. Although Dutchess sent delegates in response to the New York letter, it is doubtful whether a majority of the inhabitants were in favor of doing so : it is certain that a majority of the precincts were not. The question was taken up first in the towns or precincts separately, although the meeting in Charlotte precinct is the only one of which a record has been preserved.⁷ Of the eleven precincts

Minutes of the Albany Committee, I. 12. The committee, at this meeting, consisted of fifteen members from the following districts : First Ward, 2 ; Second Ward, 1 ; Third Ward, 2 ; two districts of Rensselaerwyck, 2 ; Manor of Livingston, 1 ; Schaghtchick district, 2 ; Claverack, 1 ; Schoharie and Duanesburgh, 2 ; Nestegarie and Halfmoon, 1 ; Saratoga, 1. *Ibid.*

¹ "A motion was made by Walter Livingston whether Deputies shall be appointed to represent the City and County of Albany to meet the 20 day of April . . . at the city of New York. . . . Resolved, unanimously, that Deputies be appointed . . . Mr. Henry Bogart . . . dissented, he being for appointing delegates for the City and County of Albany to meet the intended congress at Philadelphia. Resolved by a majority that five persons be appointed. . . . Resolved unanimously that Abram Yates, Walter Livingston, Col. Schuyler, Colonel Ten Broeck and Col. Peter Livingston are appointed." *Ibid.*, 12.

² *Calendar of Historical Manuscripts*, I. 41.

³ *American Archives*, II. 275, 352, 353 ; *Calendar of Historical Manuscripts*, I. 2, 3.

⁴ *Ibid.*, I. 19.

⁵ George Clinton Manuscripts, I. 55 ; *Calendar of Historical Manuscripts*, I. 21, 22.

⁶ *Ibid.*, I. 22, 23 ; Schoonmacher, *Kingston*, 166.

⁷ The meeting was held April 7. The vote stood 140-35 in opposition to delegates. About 100 more appeared after the poll closed, and offered to vote for "constitutional liberty," but the advocates of the Congress "gave up the contest." *New York Mercury*, April 17, 1775 ; 4 *American Archives*, II. 304.

in the county seven were opposed to sending delegates to the convention, four were in favor of doing so. The conservatives claimed that in the county as a whole there was a large majority opposed to the convention; the radicals claimed that there was a majority in favor of it.¹ On the strength of this claim a general meeting was held April 14, consisting of deputies from the four radical precincts, which named three delegates to represent the county.² Although it must be said, at the very least, that the wishes of Dutchess County were not ascertained in any satisfactory manner, the delegates were received by the convention. In Queens County the matter was taken up by the towns separately also. Three towns, Jamaica,³ Hempstead,⁴ and Oyster Bay,⁵ voted not to send delegates; two towns, Newtown⁶ and Flushing,⁷ appointed one delegate each. In Jamaica⁸ and Oyster Bay⁹ the radicals held subsequent meetings and appointed delegates to attend the convention as minority representatives. These four delegates (two representing two towns as such, two representing minorities in two other towns) attended the convention, but that body decided that Queens County was not entitled to vote on the measures which came before it. In Westchester careful management on the part of the radicals was all but necessary to get the county represented. The New York letter appears to have been communicated — it is not clear just how¹⁰ — to twelve gentlemen residing in four towns¹¹ in the southern part of the county. These twelve gentlemen met at White Plains,

¹ *Ibid.*, 304, 305.

² *Calendar of Historical Manuscripts*, I. 41. The four precincts were Rheinbeck, North East, Armenia, and Rumbout. Poughkeepsie was one of the seven opposed to the convention. It seems not unlikely that Dutchess was far from having a majority in favor of the convention.

³ By vote of 94-82. *New York Mercury*, April 3, 1775; *Rivington's Gazetteer*, April 6, 1775; 4 *American Archives*, II. 251, 838, 839.

⁴ By resolution in town meeting. *Rivington's Gazetteer*, April 6, 1775; *Calendar of Historical Manuscripts*, I. 38, 39; 4 *American Archives*, II. 273.

⁵ By resolution in town meeting; vote, 205-42. Onderdonck, *Documents and Letters . . . of Queens County*, 26.

⁶ By a popular meeting of freeholders. It is said that 100 freeholders, a majority of all the freeholders in the town, were present. Jacob Blackwell was elected unanimously. 4 *American Archives*, II. 356; Onderdonck, *Documents and Letters . . . of Queens County*, 23; Ricker, *Newtown*, 179.

⁷ John Talman, elected by "great majority" in town meeting. 4 *American Archives*, II. 356; Onderdonck, *Documents and Letters*, 25.

⁸ Joseph Robinson. 4 *American Archives*, II. 356.

⁹ Zebulon Williams (formerly Seaman) was given "full power and authority to act" in behalf of forty-two freeholders. *Calendar of Historical Manuscripts*, I. 39, 40.

¹⁰ According to Dawson, there was no "vestage" of the old committee left in Westchester, to which the letter might be sent. He thinks the letter was sent to Lewis Morris and communicated by him to the twelve men. Dawson, *Westchester County*, 65, 66.

¹¹ Theodosius Bartow, James Willis, Abram Guion, of New Rochelle; William Sutton, of Mamaronec; Lewis Morris, Thomas Hunt, Abram Leggett, of Westchester; James Horton, of Rye.

March 28, in order to devise means for "taking the sense of the county" on the subject of the convention. For this purpose a circular letter was issued by them and sent to the different districts, calling a general meeting of the freeholders and freemen at White Plains, April 11. As it was well known that the initiators of this movement were radicals, a letter was circulated by the conservatives, dated New York, April 6, urging all who were opposed to conventions and congresses and in favor of the Assembly's measures to assemble at the time and place appointed for the radical meeting.¹ On April 11, accordingly, some two hundred and fifty persons met at White Plains, the two parties establishing their headquarters at different taverns in the town. About 12 o'clock the radicals assembled at the court-house and were proceeding to the business of the day when the other party, led by Isaac Wilkins and Colonel Philips, marched in from Hatfield's tavern. Either from principle or from a consciousness of inferior numbers, they made no attempt to decide the question by ballot. Isaac Wilkins, speaking for the party, stated that they wished to have nothing to do with congresses or deputies, that their sole purpose was to protest against "such illegal and unconstitutional proceedings." Giving three cheers, the party returned to Captain Hatfield's, "singing as they went the grand and animating song of God save great George, our King." Here, certainly, conservatism was hardly to be distinguished from loyalism. Without further opposition the radicals at the court-house proceeded to appoint eight delegates to the convention. As usual, each party claimed a majority.² The one county which definitely refused to send delegates was Richmond;³ those which apparently took no action were Charlotte, Cumberland, Tryon, and Gloucester.

The provincial convention assembled at New York on April 20.⁴ Credentials of election were presented by delegates from New York, Albany, Ulster, Orange, Westchester, Kings, Suffolk, Queens, and Dutchess. The delegates from Queens were debarred from voting;⁵ but, even with this exception, a majority of the counties in the

¹ 4 *American Archives*, II. 282; Dawson, *Westchester County*, 67.

² The principal source for the meetings of March 28 and April 11 is the published statement made by Lewis Morris, who was chairman of the meeting of April 11. 4 *American Archives*, II. 314; *Calendar of Historical Manuscripts*, I. 20, 21; *New York Mercury*, April 17, 1775; *Rivington's Gazetteer*, April 20, 1775; Bolton, *Westchester County*, II. 349; Dawson, *Westchester County*, 67. The statement of Morris should be checked by the conservative account of the meeting of April 11, in *New York Mercury*, April 17, 1775; 4 *American Archives*, II. 321. Cf. second statement of Morris, May 7, *Ibid.*, 323.

³ Meeting of April 11 opposed convention almost unanimously. *Ibid.*, 313.

⁴ Minutes preserved complete. *Ibid.*, 351-358.

⁵ "That the gentlemen from Queens County, viz., John Talman, Joseph Robinson, Zebulon Williams, and Col. Jacob Blackwell, be allowed to be present at its deliberations

province were represented. On the following day the old delegates,¹ with the exception of Isaac Low and John Herring,² together with five others — Peter Schuyler, George Clinton, Lewis Morris, R. R. Livingston, and Francis Lewis — were elected to represent New York province in the second Continental Congress. Of this delegation the city's members were no longer a majority. One of the most conservative of the old city delegates, Isaac Low, had been replaced by an avowed radical, Francis Lewis. The conservative programme — the attempt to steer a clear course between absolute revolution on the one hand and submissive loyalism on the other — had broken down, and the disintegration of the conservative faction was practically complete: loyalists and revolutionists stood face to face.

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and will take into consideration any advice they may offer, but cannot allow them a vote; with which those gentlemen declare themselves satisfied." 4 *American Archives*, II. 356; Onderdonck, *Documents and Letters*, 22.

¹ Isaac Low, James Duane, Philip Livingston, John Jay, and John Alsop, of New York city; Henry Wisner and John Herring, of Orange; William Floyd, of Suffolk; Simon Boerum, of Kings.

² Herring gave satisfactory reasons for declining an election. Low was chairman of the Committee of Sixty, but he was not in sympathy with the radical policy of the committee. He was nominated, nevertheless, as one of the eleven deputies to the provincial convention. Before the election came off he announced that he would not attend the convention if elected. He was elected but did not attend. As the convention was limited to its own members in the choice of delegates to Congress, the secretary visited Low and asked him if he considered himself a member of the convention. He replied that he did not. 4 *American Archives*, II. 355, 357.